

(35)
A
REMONSTRANCE
OR
DECLARATION:

Presented,
To the Honourable House of Commons:
CONCERNING
The grievances of the Kingdome, De-
livered in PARLIAMENT by IOHN
P Y M Esquire.

Published by a true COPY, *Aprill. 8. 1643.*



LONDON:

Printed for Francis Williams. 1643.

To the Honorable House of Commons:
The Governor of the Province of
New Brunswick, in Council,
do hereby certify that the
within and foregoing is a true
and correct copy of the
original as the same appears
by the records of the
House of Commons.

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A Declaration of the Grievances of the Kingdome, delivered in *Parliament*, by *John* *Pym* ESQUIER.



Ever Parliament had greater businesses to dispatch, nor more difficulties to encounter; therefore wee have reason to take all advantages of order and addresse, and hereby wee shall not only doe our owne worke, but dispose and inable our selves for the better satisfaction of His Majesties desire of supply. The grievances being removed, our affections will carry us with speed and cheerefulnesse, to give His Majestie that which may be sufficient both for his honour and support. Those that in first place shal endeavour to redresse the grievances, will be found not to hinder, but to be the furtherers of his Majesties service: hee that takes away weights, doth as much advantage motion, as hee that addeth wings.

Diverse pieces of this maine work have bin already propounded, his endeavour should bee to present to the House a modell of the whole. In the Creation *God* made the world according to that *Idea* or form, which was eternally preexistent in the divine mind. *Moses* was commanded to frame the Tabernacle after the patterne shewed him in the Mount. Those actions are seldome well perfected in the execution, which are not first well moulded in the designe and proposition.

He said, he would labour to contract those manifold affaires both of the Church and State, which did so earnestly require the wisdom and faithfulness of this House, into a double method of grievances and cures: and because there wanted not some who pretended, that these things wherewith the Common-Wealth is now grieved, are much for the advantage of the King, and that the redresse of them will be to His Majesties great disadvantage and losse (hee said) hee doubted not but to make it appeare, that in discovering the present great distempers and disorders, and procuring remedy for them, we should be no lesse serviceable to his Majestie, who hath summoned us to this great Councell, than usefull to those whom wee doe here

The precedent consideration of grievances will further the supply.

Great works are first to be considered in the modell.

A double method compounded of grievances & cures.

Publike grievances disadvantageous to the King.

The first
generall di-
vision.

1.

represent: for the better effecting whereof, he propounded three maine branches of his discourse.

2.

In the first (hee said) hee would offer them the severall heads of some principall grievances, under which the Kingdome groaned.

In the second, he undertooke to prove, that the disorders from whence those grievances issued, were as hurtfull to the King as to the people.

3.

In the third, he would advise such a way of healing and removing those grievances, as might be equally effectual to maintaine the honour and greatnesse of the King, and to procure the prosperity and contentment of the people.

Sharp mat-
ters to bee
mitigated
in the ex-
pression.
The K. can
do no wrong.

In the handling whereof he promised to use such expressions as might mitigate the sharpnes and bitternes of those things whereof he was to speak, so far as his duty & faithfulness would allow. It is a great Prerogative to the K. and a great honour attributed to him in a Maxime of our Law, that he can doe no wrong, he is the fountaine of iustice, and if there be any injustice in the execution of his Commands, the Law casts it upon the Ministers, and frees the King. Activity, life, and vigour, are conveyed into the sublunary creatures, by the influence of Heaven: but the malignity and distemper, the cause of so many Epidemicall diseases, do proceed from the noysome vapours of the earth, or some ill affected qualities of the aire, without any infection or alteration of those pure, celestiall and incorruptible bodies. In the like manner (he said) the authority, the power and countenance of Princes may concur in the actions of evill men, without partaking in the injustice and obliquitie of them.

Hurtfull
projects pre-
sented to
the King
under plau-
sible noti-
ons.

These matters whereof we complaine, have bin presented to his Majestie, either under the pretence of Royall Prerogatives, which he is bound to maintaine, or of publike good, which is the most honourable object of Regall wisdom. But the covetous and ambitious designs of others, have interposed betwixt his Royall intentions, and the happiness of his people, making those things pernicious and hurtfull, which his Majestie apprehended as just, and profitable.

A promise
of modera-
tion.

He said, the things which he was to propound, were of a various nature, many of them such as required a very tender and exquisite consideration, In handling of which, as he would be bold to use the liberty of the place and relation wherein he stood, so hee would be careful to expresse that Modestie and humilitie, which might be expected by those, of whose actions he was to speake. And if his judgment; or his tongue should slip into a particular mistake, hee would not thinke it so great a shame, to faile by his owne weaknesse, as hee should

Submission
to reforma-
tion,

should esteeme it an honour and advantage, to be corrected by the wisdom of that house, to which he submitted himselfe, with this protestation, that he desired no reformation so much as to reforme himselfe.

The greatest liberty of the kingdom, is Religion; thereby we are freed from spiritual evils: and no impositions are so grievous, as those that are laid upon the soule. The next great liberty, is Justice, whereby we are preserved from injurie in our persons, and estates, from this is derived into the Common-wealth, peace, and order, and safety, and when this is interrupted, confusion and danger are ready to overwhelm all. The third great liberty consists in the power and privilege of Parliaments; this is the fountaine of law, the great Council of the kingdom, the highest Court: this is enabled by the Legislative and Conciliary power, to prevent evils to come; by the Judiciary power, to suppress and remove evils present. If you consider these three great liberties in the order of dignitie, this last is inferior to the other two, as means are inferior to the end; but if you consider them in the order of necessity, and use, this may justly claime the first place, in our care, because the end cannot be obtained without the means: if we do not preserve this, we cannot long hope to enjoy either of the other. Therefore (he said) being to speak of those grievances which lye upon the kingdom, he would observe this order.

Religion.

Justice.

Privilege
of Parli-
ment.The order
propounded
in handling
these three
great liber-
ties.

1. To mention those, which were against the privilege of Parliaments.

2. Those which were prejudiciall to the Religion established in the Kingdom.

3. Those which did interrupt the justice of the Realme, in the liberty of our persons, and propriety of our estates.

The privileges of Parliament were not given for the ornament or advantage of those, who are the members of Parliament, they have a reall use and efficacy, towards that which is the end of Parliaments: we are free from suits, that we may the more intirely addict our selves, to the publike services: we have therefore liberty of speech, that our Counsels may not bee corrupted with feare, or our judgments perverted with selfe respects: those three great faculties and functions of Parliament, the Legislative, Judiciary, and Conciliary power, can not be well exercised without such privileges as these. The wisdom of our Lawes, the faithfulness of our Counsels, the righteousness of our judgments can hardly be kept pure and untainted, if they proceed from distracted and restrained mindes.

The neces-
sity & im-
portance of
the privi-
ledge of
Parliament.

It is a good Rule of the Morall Philosopher, *Et non ladus mentem gubernatricem omnium actionum*: These powers of Parliament are

to the body politicke as the rationall faculties of the soule, to a man. That which keeps all the parts of the Common-wealth in frame and temper, ought to be most carefully preserved in that freedome vigour, and activity, which belongs to it selfe. Our predecessors in this house, have ever bin most carefull in the first place, to settle and secure their priviledges: and (he said) he hoped that we having had greater breaches made upon us than heretofore, would bee no lesse tender of them, and forward in seeking reparation for that which is past, and prevention of the like for the time to come.

Particular
breaches of
priviledge:
1 Restraint
of speech.
2 Interdict
of questions

Then he propounded diverse particular points wherein the Priviledge of Parliament had bin broken.

First, in restraining the members of the House from speaking.

Secondly, in forbidding the Speaker to put any Question.

These two were practised the last day of the last Parliament (and, as was alledged, by his Majesties command) and both of them trench upon the very life and being of Parliaments, for if such a restraining power as this should take root, and be admitted, it will be impossible for us to bring any resolution to perfection in such matters as shall displease those about the King.

Imprison-
ment of
members.
Judiciall
proceedings
Order to be
bound to
the good
behaviour.

Thirdly, by imprisoning diverse Members of the House for matters done in Parliament.

Fourthly, by indictments, informations, and judgments in ordinary & inferiour courts, for speeches & proceedings in Parliaments.

Fifthly, the disgracefull order of the Kings Bench, whereby some members of this House were injoynd to put in security of the good behaviour, and for refusal thereof, they were continued in prison, diverse yeares, without any particular allegation against them: one of them was freed by death, others not dismissed till his Majestie had declared his intention, to summon this Parliament. And this he noted, not onely as a breach of priviledge, but as a violation of the common justice of the Kingdome.

Abrupt dis-
solutions of
Parliaments.

Sixthly by the sudden and abrupt dissolution of Parliaments, contrary to the Law and custome. It hath bin often declared in Parliaments, that the Parliament should not be dissolved, till the petitions bee answered. This (hee said) was a great grievance, because it doth prevent the redresse of other grievances. It were a hard case, that a private man should bee put to death without being heard: As this representative body of the Commons, receives a being by the summons, so it receives a civill death by the dissolution. Is it not a much more heavey doome, by which we lose our being, and have this civill

death inflicted on us, in displeasure, and not to be allowed time and

liberty.

liberty to answer for our selves? that we should not only dye, but have this marke of infamy laid upon us, to be made *Interfables*, disabled to make our wils, to dispose of our busines, as this House hath alwayes used to do, before Adjournments or dissolutions? yet this, hath often bin our case; we have not bin permitted to powre out our last sighes and groanes, into the bosome of our deare Sovereigne; the words of dying men are full of piercing affections: if we might be heard to speake, no doubt we should fully expresse our love, & faithfulness to our Prince, as might take off the false suggestions & aspersions of others: at least we should in our humble supplications, recommend some such things to him in the name of his people as would make for his honour, and the publike good of his Kingdome.

Thus he concluded the first sort of grievances, being such as were against the priviledge of Parliament, and passed on to the next, concerning Religion: all which he conveyed under the foure heads.

1 The first, was the great encouragement given to popery, of which he produced these particular evidences.

1 A suspension of all Lawes against Papists, whereby they enjoy a free, and almost publike exercise of that Religion, and those good Statutes which were made for restraint of Idolatry, and superstition, are now a ground of security to them, in the practice of both, being used to no other end, but to get money into the Kings purse: which as it is clearly against the intentions of the Law, so it is full of mischief to the Kingdome.

By this means a dangerous partie is cherished, an increased, who are ready to close with any opportunitie of disturbing the peace and safety of the State. Yet (he said) he did not desire any new lawes against popery, or any rigorous courses in the execution of those already in force; he was far from seeking the ruine of their persons or estates, onely hee wished they might bee kept in such a condition, as should restrain them from doing hurt.

It may be objected, there are moderate and discreet men amongst them, men of estates, such as have an interest in the peace and prosperity of the Kingdome, as well as we. These (he said) were not to be considered according to their owne disposition, but according to the nature of the body, whereof they are parties: The Planets have severall and particular motions of their owne, yet they are all rapt and transported into a contrary course, by the superior Orbe which comprehends them all. The Principles of Popery are such, as are incompatible with any other RELIGION: there may bee a suspension of violence, for some by respects,

Grievances
concerning
Religion.

Encouragement of
popery.
Suspension
of Lawes.

There can
be no security
from
papists.

but
in their
disability.

but the ultimate end, even of that moderation is, that they may with more advantage extirpate that which is opposite to them. Laws will not reſtraine them, oaths will not, the Pope can diſpence with both theſe, and where there is occaſion, his command will act them, to the diſturbance of the Realme, againſt their owne private diſpoſition, yea, againſt their owne reaſon and judgment to obey him, to whom they have (eſpecially the Jeſuiticall party) abſolutely and intirely obliged themſelves, not only in ſpirituall matters, but in temporall, as they are in order *ad Spiritualia*. *H.* the 3^d. and *H.* the 4th. of *France*, were no Proteſtants themſelves, yet were murdered, becauſe they tolerated the Proteſtants, by which and many other preſidents it appeares, that the King, that the Kingdome can have no ſecurity but in their weakneſſe and diſabilitie to doe hurt.

Admiſſion
into places
of power.

2 A 2^d. incouragement is, their admiſſion into places of power and truſt in the Common-wealth, whereby they get many dependants and adherents, not only of their own, but even of ſuch as make profeſſion to be proteſtants.

Free reſort
to London
& the court

3 A third, their freedome of reſorting to *London*, and the Court, whereby they have opportunity, not only of Communicating their Counſels, and deſignes one to another, but of diving into his Majeſties Counſels, by the frequent acceſſe of thoſe who are active men, amongſt them, to the tables and company of great men, and under ſubtile pretences and diſguiſes, they want not meanes of cheriſhing their owne projects, and of endeavouring to mould and biaſſe the publike affaires to the great advantage of that partie.

4 A 4th, that as they have a Congregation of Cardinals at *Rome*, to conſider of the apteſt wayes and means of eſtabliſhing the Popes authority and Religion in *England*: to they have a Nuncio here, to act and diſpoſe that party to the execution of thoſe Counſels, and by the aſſiſtance of ſuch cunning and Jeſuiticall ſpirits as ſwarm in this towne, to order and manage all actions, and events, to the furtherance of that maine end.

Innovations
in matters
of Religion

2 The ſecond grievance in Religion, was from thoſe manifold innovations lately introduced into ſeverall parts of the Kingdome, all inclining to Popery, and diſpoſing and ſitting men to entertaine it: the particulars are theſe.

Mainte-
nance of po-
piſh tenets.

1 Divers of the chiefeſt points of Religion in difference betwixt us and the Papiſts have bin publicly defended in liſenſed Books, in Sermons, in Univerſity acts and diſputations.

Practice of
popiſh cere-
monies.

2 Diverſe Popiſh Ceremonies have bin not only practiſed, but countenanced, yea little leſſe than injoynded, as Altars, Images, Cru-
cifixes,

offices, bowings, and other gestures and observances, which put upon our Churches a shape and face of popery. He compared this to the dry bones in *Ezekiel*, first they came together, then the sinewes and the flesh came upon them, after this the skin covered them, and then breath and life was put into them: so (he said) after these men had moulded us into an outward forme and visage of popery, they would more boldly endeavour to breath into us the spirit & life of popery.

3 The third grievance, was the countenancing and preferring those men, who were most forward in setting up such Innovations, the particulars were so well knowne, that they needed not to be named.

4 The fourth was, the discouragement of those who were known to be most conscionable, and faithfull professors of the truth: some of the wayes of effecting this, he observed to be these.

1. The courses taken to inforce and enlarge those unhappy differences, for matters of small moment, which have bin amongst our selves, and to raise up new occasions of further division, whereby many have bin induced to forsake the land, not seeing the end of those voluntary and humane Injunctions in things appertaining to *Gods* worship: whereas those who are indeed lovers of Religion, and of the Churches of God, would seeke to make up those breaches, and to unite us more entirely against the common enemy.

2. The over rigid prosecution of those who are scrupulous in using some things enjoyned, which are held by those who enjoyn them, to be in themselves indifferent. It hath bin ever the desire of this House, exprest in many Parliaments in *Q. Elizabeths* time and since, that such might be tenderly used. It was one of our petitions delivered at *Oxford* to his Majestie that now is: but what little moderation it hath produced, is not unknowne to us all, any other vice almost may be better indured in a Minister than Inconformitie.

3 The unjust punishments, and vexations of sundry persons for matters required, without any warrant of Law: as

For not reading the book concerning recreation on the Lords day.

For not removing the Communion Table to bee set Altarwise at the East end of the Chancell.

For not coming up to the Railes to receive the Sacrament.

For preaching the Lords day in the afternoone.

For Catechising in any other words and manner than in the precise words of the short catechisme in the Common Prayer booke.

The fifth and last grievance concerning Religion, was the incroachment and abuse of Ecclesiasticall jurisdiction: the particulars mentioned are these.

Preferment of men popishly inclined.

Discouragement of true professors.

Enlargement of differences among our selves.

Over-rigid prosecution of the scrupulous for things indifferent.

Unjust punishments for matters not by law. Reading the Booke. The Table set Altarwise.

Coming to the Railes. Preaching upon the Lords day.

Varying from the catechisme.

Abuse of Ecclesiasticall jurisdiction.

In fining &
imprisoning
Claiming
jurisdiction
to be *Jure
Divino*.
Articles of
the Visitati-
ons.

Grievances
concerning
the liberty
of persons
and estates.

Tonnage &
Poundage
impositions

Not to be
taken but
by consent
in Parlia-
ments.

Acknow-
ledged by
the Conquer-
or.
Sometimes
broken by
other Kings
but never
denied.
Those bre-
aches repai-
red by suc-
ceeding Par-
liaments.

1 Fining and imprisoning in cases not allowed by Law.
2 Their challenging their jurisdiction to be appropriate to their order, which they alledge to be *jure Divino*.
3 The contriving and publishing of new articles, upon which they enforce the Churchwardens to take oathes, and to make inquiries and presentments, as if such articles had the force of Canons: and this, he said, was an effect of great presumption and boldness, not only in the Bishops, but in their Archdeacons, Officials and Chancellors, taking upon themselves a kind of Synodall authority: and the Injunctions of this kinde, might well partake in name with that part of the common Law, which is called the Extravagants.

Having dispatcht these severall points, hee proceeded to the third part of grievances, being such as are against the common justice of the Realm, in the liberties of our persons, and proprietie of our estates, of which (he said) he had many to propound: In doing whereof, he would rather observe the order of time, wherein they were acted, than of consequence: but when hee should come to the cure, hee should then periwade the House to begin with those, who were of most importance, as being now in execution, and very much pressing and exhausting the Common-Wealth.

He began with the Tonnage and poundage, and other impositions not warranted by Law: and because these burdens had long lye upon us, and the principles which produced them, are the same from whence diverse others are derived, he thought it necessary to premise a short narrative, and relation of the grounds and proceedings of the power of imposing herein practised. It was (he said) a fundamentall truth essentiall to the constitution and government of this kingdome, an hereditary liberty and privilege of all the free borne subjects of the Land, that no tax, tallage, or other charge might be laid upon us, without common consent in Parliament, this was acknowledged by the Conqueror, ratified in that contract which hee made with this Nation, upon his admittance to the Kingdome, declared and confirmed in the Lawes which he published.

This hath never bin denyed to any of our Kings, though broken and interrupted by some of them, especially by *K. John*, and *Hen. 3.* then againe confirmed by *Mag. Chart.* and other succeeding lawes: yet not so well settled, but that it was sometime attempted by the two succeeding *Edwards*, in whole times the subjects were very sensible of all the breaches made upon the common libertie, and by the opportunitie of frequent Parliaments, pursued them with fresh complaints, and for the most part, found redresse, and procured the right of the subject to be fortified by new Statutes.

is observed that those Kings, even in the Acts whereby they did
 the Law, did really affirm the subjects liberty, and disclaim
 the right of imposing, which is now challeged, for they did usually
 require the Merchants consent, to such taxes as were laid, thereby to
 a colour of justice upon their proceeding, and ordinarily they
 were limited to a short time, and then propounded to the ratifica-
 tion of the *Parliament*, where they were cancell'd or confirmed, as
 the necessity and state of the Kingdome did require.

But for the most part, such charges upon merchandize, were taken
 by authority of *Parliament*, and granted for some short time, in a
 greater or lesser proportion, as was requisite for supply of the pub-
 lic occasions, 6 or 12 in the pound, for one, two, or three years, as
 they saw cause, to be employed for the defence of the Sea, and it was
 acknowledged so clearly, to be in the power of *Parliament*, that they
 have sometimes bin granted to Noble men, sometimes to Merchants
 to be disposed for that use. Afterward they were granted to the
 King for life, and so continued for divers descents, yet still as a gift
 and grant of the Commons.

Between the time of *Ed. the third*, and *Q. Mary*, never Prince (that
 he could remember) offered to demand any imposition, but by grāt
 in *Parliament*: *Q. Mary* laid a charge upon cloth, by the equity of
 the Statute of Tunnage & Poundage, because the rate let upon wool
 was much more than upon cloth, & there being little wool carried
 out of the Kingdom unwrought, the Q. thought she had reason, to
 lay somewhat more, yet not sul so much, as brought them to an equal-
 lity, but that there still continued a lesse charge upon wool wrought
 into cloth, than upon wool carried out unwrought; until *K. James's*
 times, when upon *Nicholsons* project, there was a further addition
 of charge, but still upon pretence of the Statute, which is that we
 call the pretermitted custome.

In *Q. Eliz.* time, one or two litle impositions crept in, the general
 prosperity of her raign overshadowing small errors and innova-
 tions: one of these was upon Currans, by occasion of the Merchants
 complaints, that the *Venetians* had laid a charge upon the *English*
 cloth, that so we might be even with them, and force them the so-
 ner to take it off: this being demanded by *K. James*, was denied
 by one *Bates* a Merchant, and upon a suit in the Exchequer, was
 adjudged for the King.

The manner of which judgement was thus: There were then but
 three Judges, in that Court, all differing from one another in the
 grounds of their sentences. The first was of opinion, the King might

Some mis-
 ture of ex-
 cease for
 the subject
 in these 191
 ry breaches.

The grant
 by *Parlia-*
 ment most
 usual.

At first vari-
 ously lim-
 ited in re-
 spect of time
 and persons
 Afterwards
 confirmed
 to the King
 for life.

No contrary
 practice be-
 tween *Ed. 3*
 and *Q. Mary*

Pretermitted
 equity for
 the Custome
 upon cloth.

The grounds
 of the pre-
 termitted
 Custome.

Bates Case,

The Judge-
 ment there-
 in for the
 King.

Refusing
from disre-
rent opini-
ons of the
Iudges,

impose upon such commodities as were forraigne, and superfluous as Currans were, but not upon such as were native, and to be transported, or necessary, and to be imported for the use of the kingdom. The second Iudge was of opinion, he might impose upon all forraign Merchandise, whether superfluous or no, but not upon native. The third, that for as much as the King had the custody of the Ports and the guard of the Seas, and that he might open and shut up the ports as he pleased, he had a prerogative to impose upon all Merchandise, both exported and imported.

The only
foundation
of the pow-
er of impos-
ing.

followed
with com-
plaints,
and
preserved
by breaches
of Parlia-
ments

There-
dresse defi-
red without
diminution
of the Kings
profit.

This single, distracted & divided judgement, is the foundation of all the impositions now in practice: for after this, *K. Lam.* laid new charges upon all commodities outward and inward, not limited to a certaine time, and occasion, but reserved to himselfe, his heires and successors for ever; the first, impositions in fee simple, that were ever heard of in this kingdom. This judgement, and the right of imposing thereupon assumed was a question in *septimo & duodecimo* of that King, and was the cause of the breach of both those *Parliaments*, In 18. and 21. *Jacobi*, it was declined by this House, that they might preserve the favour of the K. for the dispatch of some other great businesses, upon which they were more especially attentive.

In 1. of his Majesty, It necessarily came to be remembered upon the proposition on the Kings part, for renewing the bill of Tonnage and Poundage, but so moderate was that *Parliament*, that they thought rather to confirme the impositions already set by a law to be made, than to abolish them by a judgement in *Parliament*, but that and divers ensuing *Parliaments* have been unhappily broken, before that endeavour could be accomplished, only at the last meeting, a Remonstrance was made concerning the liberty of the Subject, in this point, and it hath alwayes been exprest to be the meaning of the House, and so it was (as hee said) his owne meaning in the proposition now made, to settle and restore the right according to law, and not to diminish the Kings profit, but to establish it by a free grant in *Parliament*.

New bur-
dens since
the last
Parlia-
ments.

Divers mis-
chiefs
from these
grievances.

The King-
dom bound
by one pri-
vate case

Since the breach of the last *Parliament*, his Majesty hath by a new book of Rates very much increased the burden upon Merchandize, and now Tonnage and Poundage, old and new impositions are all taken by Prerogative, without any grant in *Parliament*, or authority of law, as we conceive, from whence divers inconveniences and mischiefs are produced.

1. The danger of the president, that a judgement in one Court, and in one case, is made binding to all the Kingdom.

1 Mens goods are seized, their legall suits are stopped, and justice denied to those, that desire to take the benefit of the Law.

Interruption of Justice.

2 The great summes of money received upon these impositions, intended for the guard of the Seas, claimed and defended upon no ground, but of publike trust, for protection of Merchants and defence of the ports, are dispersed to other uses, and a new tax raised for the same purposes.

Misemployment of the summes received.

3 These burdens are so excessive, that trade is thereby very much hindered, the commodities of our owne, groweth extreemly abated, and those imported much inhaunted, all which lies not upon the Merchant alone, but upon the generality of the subject, and by this means the stocke of the Kingdom is much diminished, our exportation being lesse profitable, and our importation more chargeable. And if the warres and troubles in the neighbour parts had not brought almost the whole streame of Trade into this Kingdom, we should have found many more prejudicial effects of these impositions, long before this time, than yet we have done; especially they have been insupportable to the poore plantations, whither many of his Majesties subjects have been transported, in divers parts of the Continent, and Islands of *America*, being a designe tending to the honour of the Kingdom, and the enlargement of his Majesties dominions: The adventurers in this noble worke, have for the most part, no other support but Tobacco, upon which, such a heavy rate is set, that the King receives twice as much, as the true value of the commoditie to the owner.

The burdens excessive.

To the American plantations especially.

4 Whereas these great burdens have caused divers Merchants to apply themselves to a way of traffique abroad by transporting goods from one Country to another, without bringing them home into *England*. It hath been lately endeavoured to set an Imposition upon this trade: so as the King will have a duty out of those commodities which never came within his dominions, to the great discouragement of such active and industrious men.

Impositions upon trade intercourse.

The next generall head of Civill grievances, was enforcing men to compound for Knighthood, which though it may seeme past, because it is divers years since it was used, yet upon the same grounds the King may renew it, as often as he pleaseth, for the composition lookes backward, and the offence continuing, is subject to a new fine. The state of that business, he layed downe thus.

Compositions for Knighthood.

Heretofore when the services due by tenure, were taken in kind, it were fit there should be some way of tryall, and approbation of those, that were bound to such services. Therefore it was ordained,

The Original ground of the charge.

that such as were to do Knights service, after they came of age, and had possession of their lands, and should be made Knights, that is, publicly declared, to be fit for that service, divers ceremonies and solemnities were in use for this purpose; and if by the parties neglect this was not done, he was punishable by Fine: there being in those times an ordinary and open way to get Knighthood, for those who were borne to it.

An old grievance in the kind,

New in the manner and excess,

Al' though the life of this hath for divers ages been discontinued, yet there have past very few Kings, under whom there hath not bin a general Summons, requiring those who had lands of such value as the Law prescribes, to appeare at the Coronation, or some other great solemnity, and to be Knighted, and yet nothing intended but the getting of some small fines: so as this grievance is not altogether new in the kind, though it be new in the manner, and in the excess of it, and that in divers respects.

Respect of

The generality.

1 First, It hath been extended beyond all intention of, and colour of law, not only Inne-holders, but likewise Lease-holders, Copy-holders, Merchants and others, scarce any man free from it.

Greatness of fines.

Multiplication of distresses and issues.

2 The Fines have beene immoderate, far beyond the proportion, of former times.

3 The proceedings have been without any example, president, or rule of justice: for though those that were summoned did appeare, yet distresses infinite were made out against them; and issues increased and multiplied, and no way open to discharge those issues, by plea or other wise, but only by compounding with the commissioners at their own pleasure.

Monopolies introduced by

the sope parent undertaken by papists.

Fall of interest.

3 The third was, the great Inundation of Monopolies, whereby heavy burthens are laid, not only upon forraigne, but also native commodities. These began in the Sope-Parent; the principall undertakers in this, were divers popish Recusants, men of estate and quality, such as in likelyhood did not only aime at their private gaine, but that by this open breach of Law, the King and his people might be more fully divided, & the wayes of *Parliament* men more thoroughly obstructed. Amongst the infinite inconveniences and mischiefs which this did produce, these few may be observed.

1 the price of commodities increased and goodnesse abated.

Restraint of trade.

1 The impairing the goodnesse, and inhancing the price of most of the Commodities and Manufactures of the Realme, yea of those, who are of most necessary and common use, as Salt, Sope, Beere, Coles, and infinite others.

2 That under colour of Licences, Trades, and Manufactures are restrained to a few hands, and many of the Subjects deprived of their

their ordinary way of livelyhood:

That upon such illegal grants, a great number of persons had been unjustly vexed by Portevants, Imprisonments, attendance upon the Councell Table, seizure of goods, and many other wayes.

The fourth, that great and unparallel'd grievance of the Shipmoney, which though it may seeme to have more warrant of Law than the rest, because there hath a judgement past for it, yet in truth it is thereby aggravated, if it be considered; that that judgement is founded upon the naked opinion of some judges, without any written Law, without any custome, or authority of Law broken, yea without any one president for it. Many expresse Laws, many Declarations in *Parliaments*, and the constant judgement and practise of all times being against it, yea in the nature of it, it will be found to be disproportionable to the case of necessity which is pretended to be the ground of it.

Necessity excludes all formalities and solemnities, it is no time then to make Levies and Taxes to build and prepare Ships, every mans person, every mans Ships are to be employed for the resisting of an invading enemy: the right on the Subjects part was so cleare, and the pretences against it so weake, that hee thought no man would venture his reputation or confidence in the defence of that judgement, being so contrary to the grounds of the Law, to the practise of former times, and so inconsistent in it selfe. Amongst many inconveniences and obloquies of this grievance he noted these.

1 That it extendeth to all persons, and to all times, it subjected our goods to distresse, and our persons to imprisonment, and the causes of it being secret and invisible, referred to his Majesties brest alone, the Subject was left without possibility of exception, and reliefe.

2 That there was no rules or limits for the proportion, so that no man knew what estate he had, or how to order his course of expences.

3 That it was taken out of the Subjects purse, by a writ, and brought into the Kings Coffers by instructions from the Lords of his most honourable privy Councell. In the legall defence of it, the Writ only did appeare, of the instructions, there was no notice taken, which yet in the reall execution of it, were most predominant. It carries the face of service in the Writ, and of Revenue in the instructions: if this way had not been found to turn the Ship into money, it would easily have appeared how incompatible

Illegal imprisonment & vexations Shipmoney.

Aggravated not supported by the Judgement. Which is not grounded upon any law custome president or authority of law bookes.

The course improper for a case of necessity.

Abounding in variety of mischiefs.

The general estate and remediable condition.

Arbitrary proportion. A compulsory writ disposed by instructions.

Improper
for the
Sheriffes:

Vnprovided
for by law.

Inlarge-
ment of
Forrests.

Against ex-
presse Sta-
tutes,

Charta de
forrestis,
made use-
lesse.

Iustice in
Eyre clerced

The Answer
lies upon
the Iudges.

Particular
obliquities.

Surreptiti-
ous proce-
dings.

A Iudgment
pretended.

The sub-
ject distur-
bed.

patible this service is with the office of a Sheriff, in the inland Counties, and how incongruous and inconvenient for the inhabitants. The law in a body politike is of like nature, which alwayes prepareth and disposeth proper and fit instruments and Organs, for every naturall operation; if the Law had intended any such charge as this, there should have beene certaine rules, suitable meanes and courses, for the levying and managing of it.

5 The fift was the Inlargement of the Forrests beyond the bounds and perambulations appointed and stablished by act of Parliament, twenty seven and twenty eight *Edward the first*, and that this is done upon the same reasons and exceptions which had beene on the Kings part propounded, and by the Commons answered in Parliament, not long after that establishment. It is not unknowne to many in this House, that those perambulations were the fruit and effect of that famous Charter, which is called *Charta de forresta*, whereby many tumults, troubles, and discontents had beene taken away, and composed between the King and his subjects, & it is full of danger, that by reviving those old Questions we may fall into the like distempers.

He said, that hereby no blame could fall upon that great Lord who is now Iustice of Eyre, and in whose name these things were acted, it should not be expected that he should take notice of the lawes and customes of the realme, therefore he was careful to procure the assistance and direction of the Iudges, and if any thing were done against law, it was for them to answer, and not for him.

The particular irregularities and obliquities of this business were these.

1. The surreptitious procuring a verdict for the King, without giving notice to the Countrey, whereby they might be prepared to give in evidence for their owne interest and indemnity; as was done in *Essex*.

2 Whereas the Iudges in the Iustice seat in *Essex* were consulted with, about the entry of the former verdict, and delivered their opinion touching that alone, without meddling with the point of right, this opinion was after enforced in other Counties, as if it had beene a judgement upon the matter, and the Countsell for the Countie discountenanced in speaking, because it was said to be already adjudged.

3 The inheritance of divers of the Subjects have been hereupon disturbed after the quiet possession of three or foure hundred years,

yeares, and a way open for the disturbance of many others.

4 Great sums of money have bin drawn from such as have lands within these pretended bounds, and those who have forborne to make composition, have beene threatned with the execution of the forrest lawes.

Inforced to compound for great fines

5 The fifth, was the selling of Nusances, or at least, some such things as are supposed to be Nusances,

Selling of Nusances,

The King as Father of the Common wealth is to take care of the publik commodities, & advantages of his subjects, as Rivers, Highways, Common Sewers, & such like, & is to remove what forever is prejudiciall to them, & for the tryall of those, there are legall and ordinary writs, of *Ad quod damnum*: but of late a new and extrajudiciall way hath been taken of declaring matters to be Nusances, and divers have thereupon been questioned, and if they would not compound they have been fined; if they do compound, that which was first prosecuted as a common Nusance, is taken into the Kings protection, and allowed to stand, & having yielded the King Mony, no further care is taken, whether it bee good or bad for the common wealth. By this a very great & publike trust is either broken or abused: if the matter compounded for be truly a Nusance, then it is broken to the hurt of the people; if it bee not a Nusance, then is it abused to the hurt of the party, the particulars mentioned, were:

The legall tryall of Nusances omitted,

A new extrajudiciall way practised,

Compositions enforced, and

A publike trust broken or abused,

1 The Commission for buildings in & about this town, which heretofore hath bin presented by this House as a grievance in K. James his time, but now of late the execution hath beene much more frequent and prejudiciall than it was before.

The particulars,

Commission for building

Secondly, Commission for Depopulations, which began some few yearers since, and is still in hot prosecution.

Depopulations.

By both these, the subject is restrained from disposing of his owne, some have been commanded to demolish their houses, others have been forbidden to build, other after great trouble and vexation, have been forced to redeeme their peace with large summes, and they still remaine by law, as lyable to a new question as before, for it is agreed by all, that the King cannot licence a common Nusance: and although in deed these are not such, yet it is a matter of very ill consequence, that under that name they should be compounded for, and may in ill times be made a president for the Kings of this Realme to claime a power of licencing such things as are Nusances in deed.

The severall mischiefs of both.

The

Military
charges.

The seventh, the Military charges laid upon the severall Countreies of the Kingdom, sometimes by warrant under his Majesties signature, sometimes by Letters from the Councel Table, & sometimes (such hath been the boldnes and presumption of some men) by the order of the Lord *Lieutenants*, or deputy *Lieutenant* alone.

A growing
evil.
Coat and
conduct mo-
ney how
practised by
Q. Elizabeth.

This is a growing evil still multiplying and increasing from a few particulars to many, from small summes to great: it began first to be practised as a loane, for supply of coat and conduct money, & for this it hath some countenance, from the use in *Q. Elizabeth* time, when the Lords of the Councell did often desire the deputy *Lieutenants* to procure so much money to be laid out in the Countrey as the services did require, with a promise to pay it againe in *London*; for which purpose there was a constant warrant in the Exchequer. This (he said) was the practice in her time, and in a great part of *K. James*, and the payments so certain, as it was little other wise, than taking up money upon bills of exchange; at this day they follow these presidents, in the manner of the demand (for it is with a promise of a repayment) but not in the certainty and readines of satisfaction.

A
Muster ma-
sters wages,

The first particular brought into a tax (as he thought) was the Muster *Masters* wages, at which many repined, but being for small summes, it began to be generally digested: yet in the last *Parliament*, this House was sensible of it, and to avoyd the danger of the president that the Subjects should bee forced to make any payments without consent in *Parliament*, they thought upon a Bill that may bee a rule to the *Lieutenants* what to demand, and to the People what to pay. But the hopes of this Bill were dashed in the dissolution of that *Parliament*. Now of late divers other particulars are growing into practice, which make the grievance much more heavy: those mentioned were these.

Pressing,

1 Pressing men against their will, and forcing them which are rich or unwilling to leave to find others in their place.

Publike ma-
gazins,

2 The provision of publike Magazines for powder, and other Munition, Spades and Pickaxes.

Salary of
officers
Cart-horses
and Carriages,

3 The Salary of Divers officers besides the Muster-Master.

4 The buying of Cart-horses and Carriages, and hyring of Carriages for Carriages.

Extrajudicial
declarations of
judges,

The eighth, the extrajudiciall declarations of Judges whereby the subjects have beene bound in matters of great importance without hearing of Counsell or Argument on their part, and

are

are left without legall remedie, by writ of error or otherwise: he remembered the expression used by another member of the House of a seeming Parliament: this (hee said) was a seeming grievance: from hence have issued most of the great grievances now in being, The Shipmoney, the pretended Nuisances already mentioned, and some others which have not yet beene toucht upon: Especially that concerning the proceedings of Ecclesiasticall Courts.

A seeming grievance.

The ninth, That the authority and wisdom of the Councell Table, have bin applyed to the contriving and managing of severall Monopolies, and other great grievances (he said) The institution of the Councell Table, was much for the advantage and security of the subject, to avoyd surreptions and precipitate Courts in the great affaires of the Kingdome: That by Law an oath is to be taken by all those of the Kings Counsell, in which amongst other things it is expressed, that they should for no cause forbear to doe right, to all the Kings people, and if such an oath be not now taken, he wist it might be brought into use againe.

Monopolies countenanced by the Councell Table. The ancient oath of counsellours.

It was the honour of that Table, to bee as it were incorporated with the King, His royall power and greatnesse did shine most conspicuously in their actions, and in their Counsels: We have heard of Projectors and Resurrees heretofore and what opinion and reliih they have found in this House is not unknowne. But that any such thing should bee acted by the Councell Table, which might give strength and countenance to Monopolies, as it hath not beene used till now of late, so it cannot be apprehended without the just griefe of the honest subject, and encouragement of those who are ill affected.

Their trust & dignity.

He remembered that in *Tertio* of King.

A Noble Gentleman, then a very worthy member of the Commons House, now a Great Lord and eminent Councellour of State, did in this place declare this opinion concerning that clause used to bee inserted in Patents of Monopoly, whereby Iustices of Peace are commanded to assist the Patentees, this he urged as a great dishonour to those Gentlemen, which are in Commission to bee so meanely employed, with much more reason, may we in jealousy of the honour of the Councell Table, humbly desire that their precious time, their great abilities designed to the publike care and service of the Kingdome, may not receive such a staine, such a diminution, as to be employed in matters of so ill report, in the estimation of the law: of so ill effect, in the apprehension of the people.

Much diminished and debased.

By being employed in matters of such ill report.

Star-chamber a great Councell.

The tenth, The High Court of Star-chamber, which some think, succeed

succeed that, which in the Parliament Rolles is called, *Magnum Concilium*, and to which, Parliaments were wont so often to reterre those important matters, which they had no time to determine. This Court which in the late restauration or erection of it, in *Henry* the seventh's time, was especially designed to restrain the oppressions of great men, and to remove the obstructions and impediments of the Law. This which is both a Court of Councell and a Court of Justice, hath beene made an instrument of erecting and defending Monopolies and other grievances; to set a face of right upon these things, which are unlawfull in their owne nature: a face of publike good, upon such as are pernicious in their use and execution. The Soape-Patent, and diverse other evidences thereof may be given, so well knowne, as not to require a particular relation. And as if this were not enough, this Court hath lately intermedled with the Ship-money, diverse Sheriffes have beene questioned, for not levying, and collecting such sums, as their Counties have beene charged with, and if this beginning be not prevented, the Star-Chamber will become a Court of Revenue, and it shall be made crime nor to collect or pay such taxes, as the State shall require.

The Eleventh, He said, he was gone very high, yet hee must goe a little higher: that great and most eminent power of the King of making Edicts and Proclamations, which are said to bee *Leges Imperialis*, with whom our Princes have used to encounter with sudden and unexpected danger, as would not indure to much delay, as assembling the great Councell of the Kingdome, This which is one of the most Glorious beames of Majestie, rigorous in commanding Reverence and subjection, to our unspeakable griefe, hath beene often exercised for the enjoying and maintaining sundry Monopolies, and other grants, exceeding burdensome, and prejudiciall to the people.

The Twelfth, Although hee was come as high as he could upon earth, yet the presumption of evill men did leade him one step higher, even as high as Heaven, as high as the Throne of God. It was now, hee said, growne common, for ambitious and corrupt men of the Clergie, to abuse the truth of God, and the bond of Conscience, preaching downe the Lawes and liberties of the kingdome, pretending Divine authority, for an absolute power in the King, to doe what he would with our persons, and goods, this hath been often published in Sermons, and Printed books, and is now the high way to preferment.

A Court erected against oppression.

Applied to the establishing of Monopolies.

To the recovery of ship money.

The Kings Edicts and Proclamations.

For the erecting of Monopolies.

The word and truth of God.

Pretended for the absolute power of Kings.

The last Parliament, we had a sentence for an offence of this kind, against one *Mansuering*; then a Doctor, now a Bishop, concerning whom (hee said) hee would say no more but this, that when he saw him at his Barre, in the most humble dejected posture, that ever hee observed, hee thought hee would not so soone have leapt into a Bishops Chaire, but his successe hath emboldened others, therefore (hee said) this may well bee noted as a double grievance, that such doctrine should bee allowed, that such men should be preferred, yea as a roote of grievances whereby they endeavour to corrupt the Kings Conscience, and as much as in them lyes, to deprive the people of that Royall protection, to which his Majestie is bound by the fundamentall Lawes of the Kingdom, and his own personall Oath.

The thirteenth: The long intermission of the Parliaments, contrary to the two statutes yet in force, whereby it is appointed there should bee Parliaments once a yeare, at the least, and most contrary to the publike good of the Kingdome, for this being well remedied would produce remedies for all the rest.

Having put through the severall heads of grievances, hee came to the second maine branch, propounded in the beginning. That the disorders from whence these grievances issued, were as hurtfull to the King, as to the people, of which hee gave diverse reasons.

I The interruption of the sweet communion which ought to bee betwixt the King and His People, in matters of grace and supply.

They have need of him by His generall pardon, to bee secured from projectors, and informers, to bee freed from obsolete Lawes, from the subtle devices of such as seeke to restraints the Prerogative to their own private advantage, and the publike hurt; and he hath need of them for counsell and support, in great and extraordinary occasions. This mutuall entercourse would so weane the affections and interests of His Subjects, into his actions and designs, that their wealth and their persons would bee his, his owne estate would bee managed to most advantage, and publike undertakings would bee prosecuted at the charge and adventure of the Subject: The Victorious attempts in Queene *ELIZABETHS* time upon *Portugall*, *Spaine*, and the *Indies*, were for the greatest part, made upon the poore Subjects purses, and not upon the Queenes, though the Honour and profit of the successe, did most accrue to her.

The offence of *D. Mansuering*.

Now practised by others.

To the great hurt and grievance of the people.

The Intermission of Parliaments.

The subjects grievances hurtfull to the King.

B. interrupt their communion.

By dome-
stical bre-
aches & dis-
contents.

2 Those often breaches and discontentments betwixt the King and the people, are very apt to diminish his reputation abroad, and disadvantage his treaties and alliances.

By weak-
ning his par-
tie abroad.

3 The apprehension of the favour and encouragement given to Popery, hath much weakened his Majesties party beyond the Sea, and impaired that advantage which Queen *Elizabeth* and His Roy-
all Father hath heretofore made, of being heads of the Protestant union.

By forcing
his subjects
to leave the
kingdome.

4 The innovations in Religion and rigour of Ecclesiasticall Courts, have forced a great many of his Majesties Subjects to for-
sake the Land, whereby not only their persons, and their posterity, but their wealth, and their industry are lost to this Kingdome, much to the demolishing of His Majesties Customes and Subsidies. A-
mongst other inconveniences, this was especially to be observed, that diverse Clothiers driven out of the Countrey, had set up the manufacture of Cloth beyond the Seas, whereby this State is like to suffer much by abatement of the price of Woolls, and by want of employment for the poore, both which likewise tend to his Ma-
jesties particular losse.

Eynpro
per wayes
of supply.

5 It puts the King upon unproper wayes of supply, which being not warranted by Law, are much more burdensome to the subject, than advantagious to his Majesty. In *France* not long since, upon a survey of the Kings Revenue, it was found that two parts in three, never came to the Kings purse, but were diverted to the profit of the officers or Ministers of the Crowne, and it was thought a very good service and reformation, to reduce two parts to the King, leav-
ing still a third part to the Instruments as were employed about getting it in. It may well be doubted, that the King may have the like or worse successe in England: which appears already in some particulars.

The King hath reserved upon this Monopoly of Wines, 30 thou-
sand Pound Rent a yeere, the Vintner payes 40. Shillings a Tun, which comes to Ninety thousand pounds: the price upon the Sub-
ject by retaile, is increased Two pence a Quart, which comes to Eight pound a Tunne, and for 45000. Tunne brought in yeerely, amounts to 3. hundred 60. thousand pounds, which is 3. hundred and 30. thousand pounds losse to the Kingdome, above the Kings Rent; other Monopolies, as that of Soape, have been very charge-
able to the kingdome, and brought very little Treasure into his Ma-
jesties Coffers.

The Law provides for that revenue of the Crowne; which is

Natio-

Naturall and proper, that it may be safely collected, and brought to Account, but this illegall Revenue, being without any such provision, is left to hazard, and much uncertainty, either not to be retained, or not duly accounted of.

6 It is apt to weaken the Industry and Courage of the Subject, if they be left uncertain: whether they shall reap the benefit of their own paines, and hazard those who are brought into the Condition of Slaves, will easily grow to a slavish disposition, who having nothing to lose, doe commonly shew more boldnesse in disturbing, than in defending a kingdome.

7 These irregular Courses do give opportunity to ill Instruments to insinuate themselves into the Kings service, for wee cannot but observe, that if a man bee officious in furthering their inordinate burdens of Ship money, Monopolies, and the like: it varnisheth over all other faults, and makes him fit both for Impleyment and preferment: So that out of their offices, they are furnisht for vast expences, purchases, Buildings; and the King loseth often more in desperate debts at their deaths, than he got by them all their lives, whether this were not lately verified in a Westerne man, much impleyed while he lived, he leaves to the Knowledge of those who were acquainted with his Course, and hee doubted not but others might be found in the like case.

Those that are affected to Popery, to prophanesse, and to superstitious innovations, in matters of Religion. All kinde of Spies and intelligencers have meanes to be countenanced and trusted if they will be but zealous in these kinde of services, which how much it detracts from His Majestie, in honour, in profit and prosperity of publike affaires, lyes open to every mans apprehension: and from these reasons or some of them, hee thought it proceeded that through the whole course of the English story it might be observed, that those Kings who had bin most respectfull of the Lawes, had bin most eminent in greatnesse, in Glory and successe, both at home and abroad; and that others, who thought to subsist by the violation of them, did often fall into a state of weaknesse, poverty, and Infortunie.

8 The differences and discontents betwixt his Majestie, and the people at home, have in all likelihood diverted his Royal thoughts and Councells from those great opportunities which hee might have, not only to weaken the House of *Austria*, to restore the *Papal* *Latinate*, but to gaine to himself a higher pitch of power and greatnesse, than any of his Ancestors.

By weakening the industry and courage of the subject.

By introducing ill Instruments into the Kings service.

By diverting the KINGS thoughts from divers great and hopeful enterprises.

It is not unknown how weak, how distracted, how discontented the *Spanish Colonies* are in the *West Indies*. There are now in those parts in *New England*, *Virginia*, and the *Caribe-Islands*, and in the *Bermudoes*, at least 60000 able persons of this Nation, many of them well armed, and their bodies seasoned to that Climate, which with a very small charge might bee set down in some advantageous parts of these pleasant, rich and fruitfull Countreys, and easily make his Majestie Master of all that treasure, which not only foment the war, but is the great support of Popery in all parts of Christendom.

By produ-
cing many
chargeable
distempers.

9 Lastly, Those courses are apt to produce such distempers in the state, as may not be settled without great charge and losse, by which means more may be consumed in a few moneths than shall be gotten by such wayes in many yeeres.

The wayes
of remedy-
ing their
grievances.

Having past through the two first generall Branches, he was now come to the third, wherein he was to set downe the wayes of healing and removing those grievances, which consisted of two maine Branches, first in declaring the Law where it was doubtfull: The second in better provision for the execution of Law, where it is cleere: But (he said) because hee had already spent much time, and began to find some confusion in his Memory, he would refer the particulars to another opportunity, and for the present only move that, which was generall to all, and would give waight and advantage to all the particular wayes of redresse; that is, that we should speedily desire a Conference with the Lords, and acquaint them with the Miserable condition wherein we find the Church and State, and as wee have already resolved to joyn in a religious seeking of God, in a day of fast and humiliati^on, so to intreat them to concur with us, in a Parliamentary course, of petitioning the King as there should bee occasion, and in teaching out the causes and remedies of these many insupportable grievances under which we lye, that so by the united wisdom and authority of both Houses, such courses may bee taken, as (through Gods blessing) may advance the honour and greatness of His Majesty, and restore and establish the peace and prosperity of the Kingdome.

This (hee said) Wee might undertake with comfort and hope of successe: for though there bee a darknesse upon the Land, a thicke and palpable darknesse, like that of *Egypt*; yet as in that, the Sunne had not lost his light, nor the *Egyptians* their sight, the interruption was onely in the *Medium*, so with us there is still (God bee thanked) light in the Sunne, Wisdom and Justice in His Majesty to dispell this darknesse, and in us there remains a visuall fa-
culty

culty, whereby wee are inabled to apprehend, and moved to desire light, and when wee shall be blessed in the enjoying of it, we shall thereby be incited to returne His Majesty such thankes, as may make it shine more cleerely in the world, to His owne glory, and in the hearts of his people, to their joy and contentment.

FINIS.



A 20
REMONSTRANCE
OR
DECLARATION:

Presented,

To the Honourable House of Commons:

CONCERNING

The grievances of the Kingdome, Delivered in PARLIAMENT by IOHN PYM Esquire.

Published by a true COPY, Aprill. 6. 1643.



LONDON:

Printed for Francis Williams. 1643.

REMEMBRANCE

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OF F. C. MAY

JUNE 9, 1916

DECEMBER

To the Honorable House of Commons:

CONCERNING

The Grievances of the Kingdom, De-

livered in PARLIAMENT by JOHN

W. M. H. H. H.

Published by a true Copy, April 6, 1643.




LOVE DON

Printed for Isaac Williams, 1643.

**A Declaration of the Grievances of the
Kingdome, delivered in *Parliament*, by *John
Pym* ESQUIER.**



 Ever Parliament had greater businesse to dispatch, nor more difficulties to encounter; therefore wee have reason to take all advantages of order and adresse, and hereby wee shall not only doe our owne worke, but dispose and inable our selves for the better satisfaction of His Majesties desire of supply. The grievances being removed, our affections will carry us with speed and cheerefulnesse, to give His Majestie that which may be sufficient both for his honour and support. Those that in first place shal endeavour to redresse the grievances, will be found not to hinder, but to be the furtherers of his Majesties service: hee that takes away weights, doth as much advantage motion, as hee that addeth wings.

Diverse pieces of this maine work have bin already propounded, his endeavour should bee to present to the Hôuse a modell of the whole, In the Creation *God* made th. world according to that *Idea* or form, which was eternally preexistent in the divine mind. *Moses* was commanded to frame the Tabernacle after the patterne shewed him in the Mount. Those actions are seldome well perfected in the execution, which are not first well moulded in the designe and proposition.

He said, he would labour to contract those manifold affaires both of the Church and State, which did so earnestly require the wisdom and faithfulness of this House, into a double method of grievances and cures: and because there wanted not some who pretended, that these things wherewith the Common-Wealth is now grieved, are much for the advantage of the King, and that the redresse of them will be to His Majesties great disadvantage and losse (hee said) hee doubted not but to make it appeare, that in discovering the present great distempers and disorders, and procuring remedy for them, we should be no lesse serviceable to his Majestie, who hath summoned us to this Council, than usefull to those whom wee doe here

The first
generall di-
vision.

1.

represent : for the better effecting whereof, he propounded three maine branches of his discourse.

2.

In the first (hee said) hee would offer them the severall heads of some principall grievances, under which the Kingdome groaned.

3.

In the second, he undertooke to prove, that the disorders from whence those grievances issued, were as hurtfull to the King as to the people.

In the third, he would advise such a way of healing and removing those grievances, as might be equally effectual to maintaine the honour and greatnesse of the King, and to procure the prosperity and contentment of the people.

In the handling whereof he promised to use such expressions as might mitigate the sharpnes and bitterness of those things whereof he was to speak, so far as his duty & faithfulness would allow. It is a great Prerogative to the K. and a great honour attributed to him in a Maxime of our Law, that he can doe no wrong, he is the fountaine of Justice, and if there be any injustice in the execution of his Commands, the Law calls it upon the Ministers, and frees the King. Activity, life, and vigour, are conveyed into the sublunary creatures, by the influence of Heaven : but the malignity and distemper, the use of so many Epidemicall diseases, do proceed from the noysome vapours of the earth, or some ill affected qualities of the aire, without any infection or alteration of those pure, celestiall and incorruptible bodies. In the like manner (he said) the authority, the power and countenance of Princes may concur in the actions of evill men, without partaking in the injustice and obliquitie of them. These matters whereof we complaine, have bin presented to his Majestie, either under the pretence of Royall Prerogatives, which he is bound to maintaine, or of publike good, which is the most honourable object of Regall wisdom. But the covetous and ambitious designs of others, have interposed betwixt his Royall intentions, and the happines of his people, making those things pernicious and hurtfull, which his Majestie apprehended as just, and profitable.

Sharp-
ness to be
mitigated
in the ex-
pression.
The K. can
do no wrong.

Hurtfull
projects pre-
sented to
the King
under plau-
sible noti-
ces.

Appropie
of modestie
nature.

Submission
to reforma-
tion.

He said, the things which he was to propound, were of a various nature, many of them such as required a very tender and exquisite consideration. In handling of which, as he would be bold to use the liberty of the place and relation wherein he stood, so hee would be careful to expresse that Modestie and humilitie, which might be expected by those, of whose Actions he was to speake. And if his judgment ; or his tongue should slip into a particular mistake, hee would not thinke it so great a shame, to faile by his owne weaknesse, as hee

should esteeme it an honour and advantage, to be corrected by the wisdom of that house, so we^{ch} he submitted himselfe, with this protestation, that he desired no reformation so much as to reforme himselfe.

The greatest liberty of the kingdom, is Religion; thereby we are freed from spiritual evils: and no impositions are so grievous, as those that are laid upon the soule. The next great liberty, is Justice, whereby we are preserved from injurie in our persons, and estates, from this is derived into the Common-wealth, peace, and order, and safety, and when this is interrupted, confusion and danger are ready to overwhelm all. The third great liberty consists in the power and privilege of Parliaments, this is the fountaine of law, the great Council of the kingdom, the highest Court: this is enabled by the Legislative and Conciliary power, to prevent evils to come; by the Judiciary power, to suppress and remove evils present. If you consider these three great liberties in the order of dignitie, this last is interjourn to the other two, as meanes are inferiour to the end; but if you consider them in the order of necessity, and use, this may justly claime the first place, in our care, because the end cannot be obtained without the means: if we do not preserve this, we cannot long hope to enjoy either of the other. Therefore (he said) being to speak of those grievances which lye upon the kingdome, he would observe this order.

1. To mention those, which were against the privilege of Parliaments.

2. Those which were prejudiciall to the Religion established in the Kingdome.

3. Those which did interrupt the justice of the Realme, in the liberty of our persons, and propriety of our estates.

The privileges of Parliament were not given for the ornament or advantage of those, who are the members of Parliament, they have a reall use and efficacy, towards that which is the end of Parliaments: we are free from suits, that we may the more intirely addict our selves, to the publike services: we have therefore liberty of speech, that our Counsels may not bee corrupted with feare, or our judgments perverted with selfe respects: those three great faculties and functions of Parliament, the Legislative, Judiciary, and Conciliary power, can not be well exercised without such privileges as these. The wisdom of our Lawes, the faithfulness of our Counsels, the righteousnesse of our judgments can hardly be kept pure and untainted, if they proceed from distracted and restrained mindes.

It is a good Rule of the Morall Philosopher, *Et non latus mentem gubernariorem omnium attentionis*: These powers of Parliament are

Religion.

Justice.

Privilege of Parliaments.

The order propounded in handling these three great liberties.

The necessity & importance of the privilege of Parliament.

to the body politicke as the rationall faculties of the soule, to a man: That which keeps all the parts of the Common-wealth in frame, and temper, ought to be most carefully preserved in that freedome, vigour, and activity, which belongs to it selfe. Our predecessors in this house, have ever bin most carefull in the first place, to settle and secure their priviledges: and (he said) he hoped that we having had greater breaches made upon us than heretofore, would bee no lesse tender of them, and forward in seeking reparation for that which is past, and prevention of the like for the time to come.

Particular
breaches of
priviledge:
1 Restraint
of speech:
2 Interdict
of questions

Then he propounded diverse particular points wherein the Priviledge of Parliament had bin broken.

First, in restraining the members of the House from speaking.

Secondly, in forbidding the Speaker to put any Question.

These two were practised the last day of the last Parliament (and, as was alledged, by his Majesties command) and both of them trench upon the very life and being of Parliaments, for if such a restraining power as this should take root, and be admitted, it will be impossible for us to bring any resolution to perfection in such matters as shall displease those about the King.

Imprison-
ment of
members.
Judiciall
proceedings
Order to be
bound to
the good
behaviour.

Thirdly, by imprisoning diverse Members of the House for matters done in Parliament.

Fourthly, by indictments, informations, and judgments in ordinary & inferiour courts, for speeches & proceedings in Parliaments.

Fifthly, the disgracefull order of the Kings Bench, whereby some members of this House were injoynd to put in security of the good behaviour, and for refusall thereof, they were continued in prison, diverse yeares, without any particular allegation against them: one of them was freed by death, others not dismissed till his Majestie had declared his intention, to summon this Parliament. And this he noted, not onely as a breach of priviledge, but as a violation of the common justice of the Kingdome.

Abrupt dis-
solution of
Parliament.

Sixthly, by the sudden and abrupt dissolution of Parliaments, contrary to the Law and custome. It hath bin often declared in Parliaments, that the Parliament should not be dissolved, till the petitions bee answered. This (hee said) was a great grievance, because it doth prevent the redresse of other grievances. It were a hard case, that a private man should bee put to death without being heard: As this representative body of the Commons, receives a being by the summons, so it receives a civill death by the dissolution. Is it not a much more heavie doome, by which we lose our being, and have this civill death inflicted on us, in displeasure, and not to be allowed time and

liberty

liberty to answer for our selves? that we should not only dye, but have this marke of infamy laid upon us, to be made *Interfables*; disabled to make our wils, to dispose of our busines, as this Houle hath alwayes used to do, before Adjournments or dissolutions? yet this, hath often bin our case; we have not bin permitted to powre out our last sighes and groanes, into the bosome of our deare Sovereign; the words of dying men are full of piercing affections: if we might be heard to speak, no doubt we should fully expresse our love, & faithfulness to our Prince, as might take off the false suggestions & aspersions of others: at least we should in our humble supplications, recommend some such things to him in the name of his people as would make for his honour, and the publike good of his Kingdome.

Thus he concluded the first sort of grievances, being such as were against the privilege of Parliament, and passed on to the next, concerning Religion: all which he conveyed under the foure heads.

Grievances
concerning
Religion.

1 The first, was the great encouragement given to popery, of which he produced these particular evidences.

Encourage-
ment of po-
pery.

1 A suspension of all Lawes against Papists, whereby they enjoy a free, and almost publike exercise of that Religion, and those good Statutes which were made for restraint of Idolatry, and superstition, are now a ground of security to them, in the practice of both, being used to no other end, but to get money into the Kings purse: which as it is clearly against the intentions of the Law, so it is full of mischief to the Kingdome.

Suspension
of Lawes.

By this means a dangerous partie is cherished, and increased, who are ready to close with any opportunitie of disturbing the peace and safety of the State. Yet (he said) he did not desire any new lawes against popery, or any rigorous courses in the execution of those already in force; he was far from seeking the ruine of their persons or estates, onely hee wisht they might bee kept in such a condition, as should restraime them from doing hurt.

It may be objected, there are moderate and discreet men amongst them, men of estates, such as have an interest in the peace and prosperity of the Kingdome, as well as we. These (he said) were not to be considered according to their owne disposition, but according to the nature of the body, whereof they are parties: The Planets have severall and particular motions of their owne, yet they are all rapt and transported into a contrary course; by the superior Orbe which comprehends them all. The Principles of Popery are such, as are incompatible with any other RELIGION: there may bee a suspension of violence, for some by respects,

There can
be no secu-
rity from
papists.

but
in their dis-
ability.

out the ultimate end, even of that moderation, is, that they may with more advantage extirpate that which is opposite to them. Laws will not restrain them, oaths will not, the Pope can dispence with both these, and where there is occasion, his command will act them, to the disturbance of the Realme, against their owne private disposition, yea, against their own reason and judgment to obey him, to whom they have (especially the Jesuiticall party) absolutely and intirely obliged themselves, not only in spirituall matters, but in temporall, as they are in order *ad Spiritualia*. H. the 3^d. and H. the 4th. of *France*, were no Protestants themselves, yet were murdered, because they tolerated the Protestants, by which and rising other precedents it appears, that the King, that the Kingdome can have no security but in their weakness and disabilitie to doe hurt.

Admission
into places
of power.

2. A 2^d. incouragement is, their admission into places of power and trust in the Common-wealth, whereby they get many dependants and adherents, not only of their own, but even of such as make profession to be protestants.

Free resort
to London
& the court

3. A third, their freedome of resorting to *London*, and the Court, whereby they have opportunity, not only of communicating their Counsels, and designs one to another, but of diving into his Majesties Counsels, by the frequent accessse of those who are active men, amongst them, to the tables and company of great men, and under subtile pretences and disguises, they want not meanes of cherishing their owne projects, and of indeavouring to mould and biasse the publike affaires to the great advantage of that partie.

4. A 4th, that as they have a Congregation of Cardinals at *Rome*, to consider of the aptest wayes and means of establishing the Popes authority and Religion in *England*: so they have a Nuncio here, to act and dispose that party to the execution of those Counsels, and by the assistance of such cunning and Jesuiticall spirits as swarm in this towne, to order and mannage all actions, and events, to the furtherance of that maine end.

Innovations
in matters
of Religion

2 The second grievance in Religion, was from those manifold innovations lately introduced into severall parts of the Kingdome, all inclining to Popery, and disposing and fitting men to entertaine it: the particulars are these.

Maintenance
of popish
tenets.

1 Divers of the chiefest points of Religion in difference betwixt us and the Papists have bin publicly defended in licensed Books, in Sermons, in Univerfity acts and disputations.

Practice of
popish ceremonies.

2 Diverse Popish Ceremonies have bin not only practised, but countenanced, yea little lesse than injoynd, as Altars, Images, Crucifixes,

cifixes, bowings, and other gestures and observances, which put upon our Churches a shape and face of popery. He compared this to the dry bones in *Ezekiel*, first they came together, then the sinewes and the flesh came upon them, after this the skin covered them, and then breath and life was put into them: so (he said) after these men had moulded us into an outward forme and visage of popery, they would more boldly endeavour to breath into us the spirit & life of popery.

3 The third grievance, was the countenancing and preferring those men, who were most forward in setting up such Innovations, the particulars were so well knowing, that they needed not to be named.

Preferment of men possibly inclined.

4 The fourth was, the discouragement of those who were known to be most conscientious, and faithfull professors of the truth: some of those who effected this, he observed to be these.

Discouragement of true professors.

1 The countes taken to in force and enlarge those unhappy differences, for matters of small moment, which have bin amongst our selves, and to raise up new occasions of further division, whereby many have bin induced to forsake the land, not seeing the end of those voluntary and humane Injunctions in things appertaining to Gods worship: whereas those who are indeed lovers of Religion, and of the Churches of God, would seeke to make up those breaches, and to waite us more entirely against the common enemy.

Enlargement of differences among our selves.

2 The over rigid prosecution of those who are scrupulous in using some things enjoyned, which are held by those who enjoyn them, to be in themselves indifferent. It hath bin ever the desire of this House, exprest in many Parliaments in *Q. Elizabeths* time and since, that such might be tenderly used. It was one of our petitions delivered at *Oxford* to his Majestie that now is: but what little moderation it hath produced, is not unknowne to us all, any other vice almost may be better indured in a Minister than Inconformitie.

Over-rigid prosecution of the scrupulous for things indifferent.

3 The unjust punishments, and vexations of sundry persons for matters required, without any warrant of Law: as

Unjust punishments for matters not by law. Reading the Booke. The Table set Altarwise.

For not reading the book concerning recreation on the Lords day.

For not removing the Communion Table to bee set Altarwise at the East end of the Chancell.

Comming to the rails. Preaching upon the Lords day. Varying from the catechisme.

For not comming up to the Railes to receive the Sacrament.

For preaching the Lords day in the afternoone.

For Catechising in any other words and manner than in the precise words of the short catechisme in the Common Prayer booke.

The fifth and last grievance concerning Religion, was the incroachment and abuse of Ecclesiasticall jurisdiction: the particulars mentioned are these.

Abuse of Ecclesiasticall jurisdiction.

In fining &
imprisoning
claiming
jurisdiction
to be *Jure
Divino*.
Articles of
the Visitati-
ons.

- 1 Fining and imprisoning in cases not allowed by Law.
- 2 Their challenging their jurisdiction to be appropriate to their order, which they alledge to be *jure Divino*.
- 3 The contriving and publishing of new articles, upon which they enforce the Churchwardens to take oathes, and to make inquiries and presentments, as if such articles had the force of Canons: and this, he said, was an effect of great presumption and boldnesse, not only in the Bishops, but in their Archdeacons, Officials and Chancellors, taking upon themselves a kind of Synodall authority: and the Injunctions of this kinde, might well partake in name with that part of the common Law, which is called the *Extravagants*.

Grievances
concerning
the liberty
of persons
and estates.

Having dispatcht these severall points, hee proceeded to the third part of grievances, being such as are against the common justice of the Realm, in the liberties of our persons, and propriety of our estates, of which (he said) he had many to propound. In doing whereof, he would rather observe the order of time, wherein they were acted, than of consequence: but when hee should come to the cure, hee should then perswade the House to begin with those, who were of most importunce, as being now in execution, and very much pressing and exhausting the Common Wealth.

Tonnage &
Poundage
impositions

He began with the Tonnage and poundage, and other impositions not warranted by Law: and because these burdens had long lyen upon us, and the principles which produced them, are the same from whence diverse others are derived, he thought it necessary to promise a short narrative, and relation of the grounds and proceedings of the power of imposing herein practised. It was (he said) a fundamentall truth essentiall to the constitution and government of this kingdome, an hereditary liberty and privilege of all the free borne subjects of the Land, that no tax, tallage, or other charge might be laid upon us, without common consent in Parliament, this was acknowledged by the Conqueror, ratified in that contract which hee made with this Nation, upon his admittance to the Kingdome, declared and confirmed in the Lawes which he published.

Not to be
taken but
by consent
in Parlia-
ment.

Acknow-
ledged by
the Conque-
rer.
Sometimes
broken by
other Kings
but never
denied.
The bre-
ches repai-
red by suc-
ceeding Par-
liaments.

This hath never bin denyed to any of our Kings, though broken and interrupted by some of them, especially by *K. John*, and *Hen. 3.* then againe confirmed by *Mag. Chart.* and other succeeding lawes: yet not so well settled, but that it was sometime attempted by the two succeeding *Edwards*, in whose times the subjects were very sensible of all the breaches made upon the common libertie, and by the opportunitie of frequent Parliaments, pursued them with fresh complaints, and for the most part, found redresse, and procured the

He observed that those Kings, even in the Acts whereby they did break the Law, did really affirm the subjects liberty, and disclaime that right of imposing, which is now challeged, for they did usually procure the Merchants consent, to such taxes as were laid, therby to put a colour of justice upon their proceeding, and ordinarily they were limited to a short time, and then propounded to the ratification of the *Parliament*, where they were cancell'd or confirmed, as the necessity and state of the Kingdome did require.

Some mixture of evi-
dence for
the subject
in these ve-
ry breaches.

But for the most part, such charges upon merchandize, were taken by authority of *Parliament*, and granted for some short time, in a greater or lesser proportion, as was requisite for supply of the public occasions, 6 or 12 in the pound, for one, two, or three years, as they saw cause, to be employed for the defence of the Sea, and it was acknowledged so clearly, to be in the power of *Parliament*, that they have sometimes bin granted to Noble men, sometimes to Merchants to be disposed for that use. Afterward they were granted to the King for life, and so continued for divers descents, yet still as a gift and grant of the Commons.

The grant
by *Parlia-*
ment most
usuall.

Betwixt the time of *Ed. the third*, and *Q. Mary*, never Prince (that he could remember) offered to demand any imposition, but by grant in *Parliament*: *Q. Mary* laid a charge upon cloth, by the equity of the Statute of Tunnage & Poundage, because the rate set upon wool was much more than upon cloth, & there being little wool carried out of the Kingdom unwrought, the Q. thought she had reason, to lay sumwhat more, yet not full so much, as brought them to an equality, but that there still continued a lesse charge upon wool wrought into cloth, than upon wool carried out unwrought; until *K. James's* times, when upon *Nicholson's* project, there was a further addition of charge, but still upon pretence of the Statute, which is that we call the pretermitted custome.

At first vari-
ously limi-
ted in re-
spect of time
and persons
Afterwards
Confirmed
to the King
for life.

No contrary
warrise be-
tween *Ed. 3*
and *Q. Mary*

Pretended
equity for
the Customs
upon cloth.

The grounds
of the pre-
termitted
Custome.

In *Q. Eliz.* time, one or two little impositions crept in the general prosperity of her raign overshadowing small errors and innovations: one of these was upon *Currens*, by occasion of the Merchants complaints, that the *Venitians* had laid a charge upon the *English* cloth, that so we might be even with them, and force them the sooner to take it off: this being demanded by *K. James*, was denied by one *Bates* a Merchant, and upon a suit in the Exchequer, was adjudged for the King.

Bates, Case.

The judge-
ment there-
in for the
King.

The manner of which judgement was thus: There were then but three Judges, in that Court, all differing from one another in the grounds of their sentences. The first

Refusing
from di-
gent opi-
ons of the
Judges.

impose upon such commodities as were forraigne, and superfluous as Currans were, but not upon such as were native, and to be transported, or necessary, and to be imported for the use of the kingdom. The second Iudge was of opinion, he might impose upon all forraign Merchandise, whether superfluous or no, but not upon native. The third, that for as much as the King had the custody of the Ports and the guard of the Seas, and that he might open and shut up the ports as he pleased, he had a prerogative to impose upon all Merchandise, both exported and imported.

The only
foundation
of the power
of impos-
ing.

followed
with com-
plaints,
and
preserved
by breaches
of Parlia-
ments

There-
dresse de-
sired with-
out dimi-
nution
of the Kings
profit.

This single, distracted & divided judgement, is the foundation of all the impositions now in practice: for after this, K. *Jam.* laid new charges upon all commodities outward and inward, not limited to a certaine time, and occasion, but reserved to himselfe, his heires and successors for ever; the first, impositions in fee simple, that were ever heard of in this kingdome. This judgement, and the right of imposing thereupon assumed was a question in *septimo & duodecimo* of that King, and was the cause of the breach of both those *Parliaments*, In 18. and 21. *Jacobi*, it was declined by this House, that they might preserve the favour of the K. for the dispatch of some other great businesses, upon w^{ch} they were more especially attentive.

In 1. of his Majesty, It necessarily came to be remembred upon the proposition on the Kings part, for renewing the bill of Tonnage and Poundage, but so moderate was that *Parliament*, that they thought rather to confirme the impositions already set by a law to be made, than to abolish them by a judgement in *Parliament*, but that and divers ensuing *Parliaments* have been unhappily broken, before that endeavour could be accomplished, only at the last meeting, a Remonstrance was made concerning the liberty of the Subject, in this point, and it hath alwayes been exprest to be the meaning of the House, and so it was (as hee said) his owne meaning in the proposition now made, to settle and restore the right according to law, and not to diminish the Kings profit, but to establish it by a free grant in *Parliament*.

New bur-
dens since
the last
Parlia-
ments.

Divers mi-
chiefes
from these
grievances,

The King-

Since the breach of the last *Parliament*, his Majesty hath by a new book of Rates very much increased the burden upon Merchandize, and now Tonnage and Poundage, old and new impositions are all taken by Prerogative, without any grant in *Parliament*, or by authority of law, as we conceive, from whence divers inconveniences and milchiefes are produced.

The danger of the president, that a judgement in one Court, will be a judgement in all the Kingdome.

2 Mens goods are seized, their legall suits are stopped, and justice denied to those, that desire to take the benefit of the Law. Interruption of Justice.

3 The great summes of money received upon these impositions, intended for the guard of the Seas, claimed and defended upon no ground, but of publike trust, for protection of Merchants and defence of the ports, are dispersed to other uses, and a new tax raised for the same purposes. Misemployment of the summes received.

4 These burdens are so excessive, that trade is thereby very much hindered, the commodities of our owne, groweth extreamly abased, and those imported much inhaunted, all which lies not upon the Merchant alone, but upon the generality of the subject, and by this meanes the stocke of the Kingdom is much diminished, our exportation being lesse profitable, and our importation more chargeable. And if the warres and troubles in the neighbour parts had not brought almost the whole streame of Trade into this Kingdom, we should have found many more prejudicial effects of these impositions, long before this time, than yet we have done; especially they have been insupportable to the poore plantations, whither many of his Majesties subjects have been transported, in divers parts of the Continent, and Islands of *America*, being a designe tending to the honour of the Kingdome, and the enlargement of his Majesties dominions: The adventurers in this noble worke, have for the most part, no other support but Tobacco, upon which, such a heavy rate is set, that the King receives twice as much, as the true value of the commoditie to the owner. The burdens excessive.

5 Whereas these great burdens have caused divers Merchants to apply themselves to a way of traffique abroad by transporting goods from one Country to another, without bringing them home into *England*. It hath been lately endeavoured to set an Imposition upon this trade: so as the King will have a duty out of those commodities which never came within his dominions, to the great discouragement of such active and industrious men. To the American plantations especially.

The next generall head of Civil grievances, was enforcing men by a compound for Knighthood, which though it may seeme past, because it is divers years since it was used, yet upon the same grounds the King may renew it, as often as he pleaseth, for the composition or pokes backward, and the offence continuing, is subject to a new fine. The state of that businesse, he layed downe thus. Impositions upon trade intercourse.

Heretofore when the services due by tenure, were taken in kind, were fit there should be some way of tryall, and apprehension of, that were bound to such service. Composition for Knighthood.

The Original

that such as were to do Knights service, after they came of age, and had possession of their lands, and should be made Knights, that is, publicly declared, to be fit for that service, divers ceremonies and solemnities were in use for this purpose; and if by the parties neglect this was not done, he was punishable by Fine: there being in those times an ordinary and open way to get Knighthood, for those who were borne to it.

An old grievance in the kind,

New in the manner and excessive,

Respect of

The generality.

Greatness of fines. Multiplication of distresses and fines.

Monopolies introduced by the Sope Patent undertaken by papists.

Full of mischief.

the price of commodities increased and goodness abated.

Al though the use of this hath for divers ages been discontinued, yet there have past very few Kings, under whom there hath not bin a general Summons, requiring those who had lands of such value as the Law prescribes, to appeare at the Coronation, or some other great solemnity, and to be Knighted, and yet nothing intended but the getting of some small fines: so as this grievance is not altogether new in the kind, though it be new in the manner, and in the excess of it, and that in divers respects.

1 First, It hath been extended beyond all intention of, and colour of law, not only Inne-holders, but likewise Lease-holders, Copy-holders, Merchants and others, scarce any man free from it.

2 The Fines have beene immoderate, far beyond the proportion, of former times.

3 The proceedings have been without any example, president, or rule of justice: for though those that were summoned did appeare, yet distresses infinite were made out against them; and issues increased and multiplied, and no way open to discharge those issues, by plea or other wise, but only by compounding with the commisioners at their own pleasure.

3 The third was, the great Inundation of Monopolies, whereby heavy burthens are laid, not only upon forraigne, but also native commodities. These began in the Sope-Patent; the principall undertakers in this, were divers popish Reculants, men of estate and quality, such as in likelihood did not only aime at their private gaine, but that by this open breach of Law, the King and his people might be more fully divided, & the wayes of Parliament men more thoroughly obstructed. Amongst the infinite inconveniences and mischiefs which this did produce, these few may be observed.

1 The impairing the goodnesse, and inhancing the price of many of the Commodities and Manufactures of the Realme, yea of those who are of most necessary and common use, as Salt, Sope, Bees-Coles, and infinite others.

That under colour of Licences, Trades, and Manufactures
the Subjects do receive

their ordinary way of livelyhood.

3 That upon such illegal grants, a great number of persons had bin unjustly vexed by Purfevants, Imprisonments, attendance upon the Councell Table, seizure of goods, and many other wayes.

Illegal imprisonment
& vexations
Shipmony.

4 The fourth, that great and unparalleld grievance of the Shipmoney, which though it may seeme to have more warrant of Law than the rest, because there hath a judgement past for it, yet in truth it is thereby aggravated, if it be considered, that that judgement is founded upon the naked opinion of some judges, without any written Law, without any custome, or authority of Law broken, yea without any one president for it. Many expresse Laws, many Declarations in *Parliaments*, and the constant judgment and practise of all times being against it, yea in the nature of it, it will be found to be disproportionable to the case of necessity which is pretended to be the ground of it.

Aggravated
not supported
by the
judgements.
Which is not
grounded
upon any
law custome
president or
authority of
law bookes.

Necessity excludes all formalities and solemnities, it is no time then to make Levies and Taxes to build and prepare Ships, every mans person, every mans Ships are to be employed for the resisting of an invading enemy: the right on the Subjects part was so cleare, and the pretences against it so weake, that hee thought no man would venture his reputation or conscience in the defence of that judgment, being so contrary to the grounds of the Law, to the practise of former times, and so inconsistent in it selfe. Amongst many inconveniences and obloquies of this grievance he noted these.

The course
unproper for
a case of
necessity.

1 That it extendeth to all persons, and to all times, it subjected our goods to distresse, and our persons to imprisonment, and the causes of it being secret and invisible, referred to his Majesties brest alone, the Subject was left without possibility of exception, and reliefe.

Abounding
in variety of
mischeries.

2 That there was no rules or limits for the proportion, so that no man knew what estate he had, or how to order his course or expences.

The general
extent and
remediless
condition,

3 That it was taken out of the Subjects purse, by a writ, and brought into the Kings Coffers by instructions from the Lords of his most honourable privy Councell. In the legall defence of it, the Writ only did appeare; of the instructions, there was no notice taken, which yet in the reall execution of it, were most predominant. It carries the face of service in the Writ, and of Revenue in the instructions: if this way had not been found to turn the Ship into money, it would not have been so.

Arbitrary
proportion.

Imposed by
writ dispos'd
by instructions.